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## PLANNING COMMISSION MINUTES

### Meeting of May 14, 2015

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City Hall Council Chambers \* 290 North 100 West Logan, UT 84321 \* [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, May 14, 2015. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: Roylan Croshaw, Amanda Davis, Tom Jensen, Maybell Romero

Planning Commissioners Absent: David Butterfield, Russ Price, Sara Sinclair

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Kymber Housley, Paul Taylor, Bill Young, Craig Humphreys, Debbie Zilles

New Commissioner Roylan Croshaw was given the oath of office by City Recorder, Teresa Harris.

Minutes as written and recorded from the April 23, 2015 meeting were reviewed. Commissioner Jensen moved that the minutes be approved as submitted. Commissioner Romero seconded the motion. The motion was unanimously approved.

### **PUBLIC HEARING**

**PC 15-025 Maverik Main Street** [Design Review Permit] Maverik Inc./CA Fullmer Family LLC, authorized agent/owner, request a 5,046 SF 24-hour convenience store with gasoline pumps on 1.71 acres at 300 South Main Street in the Commercial (COM) zone; TIN 02-053-0016;-0017;-0018;-0015;-0032;-0033;-0035.

The applicant has requested to continue this project to the next meeting of May 28, 2015.

**MOTION:** Commissioner Romero moved to **continue** PC 15-025 to the May 28, 2015 meeting. Commissioner Jensen seconded the motion.

[Moved: Commissioner Romero Seconded: Commissioner Jensen **Passed: 4-0**  
Yea: R. Croshaw, A. Davis, T. Jensen, M.Romero Nay: Abstain:

**PC 15-027 GW Properties 6-plex** [Design Review Permit] Greg McDonagh/GW Properties LLC, authorized agent/owner, request to remove the existing structure and construct a 3-story 6-plex on .3 acres at 274 East 300 North in the Mixed Residential (MR-20) zone; TIN 06-063-0024.

The applicant has requested to continue this project to the next meeting of May 28, 2015.

**MOTION:** Commissioner Romero moved to **continue** PC 15-022 to the May 28, 2015 meeting. Commissioner Croshaw seconded the motion.

[Moved: Commissioner Romero Seconded: Commissioner Croshaw **Passed: 4-0**  
Yea: R. Croshaw, A. Davis, T. Jensen, M.Romero Nay: Abstain:

**PC 15-024 Fairground & Willow Park Subdivision** [Subdivision Permit] Logan City requests to subdivide this property into two (2) parcels, one parcel to support fairground activities and one parcel to support Willow Park activities on 57.88 acres located at 510 South 400 West in the Recreation (REC) zone; TIN 02-058-0056.

**STAFF:** Ms. Reeder reviewed the request. The area currently consists of the Cache County Fairgrounds, Willow Park, Willow Park Zoo and the National Guard Armory facility. The Armory is on its own parcel and not a part of this subdivision. The proposed subdivision would separate the fairground facilities into Lot 1 (46.158 acres) which will be owned and maintained by Cache County and Lot 2 (13.118 acres) for Willow Park and the Zoo, which will be owned by Logan City. There are no proposed changes to facilities or operations. The RV disposal area on 500 West will be separated from the Fairgrounds, dedicated to Logan City and be incorporated in the right-of-way.

**PUBLIC:** None

**COMMISSION:** None

**MOTION:** Commissioner Jensen moved to **conditionally approve** a Subdivision Permit as outlined in PC 15-024 with the conditions of approval as listed below. Commissioner Romero seconded the motion.

**CONDITIONS OF APPROVAL**

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Two (2) lots are approved with this subdivision permit.
3. The final plat shall be recorded within one (1) year of this action or comply with LDC §17.58 Expirations and Extensions of Time.
4. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from the following department indicating that their requirement has been satisfied:
  - a. Water/Cross Connection:
    - i. Water meter setters need to have current Logan City backflow standards.

**FINDINGS FOR APPROVAL**

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because it meets the minimum requirements of the LDC.
2. Each lot conforms to the requirements of Logan Municipal Code Title 17 regarding lot size and development.
3. Each lot is suitable for development within the Recreation (REC) zone.
4. The project conforms to the requirements of LDC §17.47 concerning hearings, procedures, application requirements and plat preparations.
5. The project meets the goals and objectives of the REC zone within the Logan General Plan.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

[Moved: Commissioner Jensen    Seconded: Commissioner Romero    **Passed: 4-0**  
Yea: R. Croshaw, A. Davis, T. Jensen, M. Romero    Nay:    Abstain:

**PC 15-026 Crest Investments Subdivision** [Subdivision Permit] Connie Wright/Crest Investments LC, authorized agent/owner, request a 2-lot subdivision on 4 acres at 1176 West 600 North in the Commercial Services (CS) zone; TIN 05-062-0024;-0054.

**STAFF:** Ms. Reeder reviewed the request for a 2-lot subdivision to recognize a lot split that was recorded in 1997 between the property owners.

The existing building will be located on one lot of the subdivision (1.0 acre) and the remaining 3.106 acres, including frontage on 600 North and the 1200 West alignment, will be the second lot.

The Land Development Code (LDC) permits subdivisions within the Commercial Services (CS) zone with no minimum lot size requirements. The LDC requires a minimum amount of open space and useable outdoor space of 20% of the site. The maximum lot coverage (building footprint) is 60% and building height is 38'. The lot indicated as Parcel B, meets the minimum standards with a lot coverage of 20% (over 20% of the site is in land set asides) and the existing building height is under the allowed maximum.

The final plat will need to be amended to address several items. There is an easement indicated on Parcel A but it is not specified what the easement is for. The access to the existing building was developed to be shared between the lots and is the location of a sewer line and lift station for the parcel. The easement will need to be called out as a utility and cross access easement and it will need to be carried onto Parcel B to adequately cover the sewer line and provide for access movement.

The initiation of a subdivision requires dedication and development of right-of-way improvements. 1200 West is indicated in the Master Transportation Plan; therefore, adequate dedication will need to be provided on the plat. Improvements along 600 North are complete along Parcel B but will need to be completed along the remainder of the frontage.

**PROPONENT:** None

**PUBLIC:** None

**COMMISSION:** None

**MOTION:** Commissioner Romero moved to **conditionally approve** a Subdivision Permit as outlined in PC 15-026 with the conditions of approval as listed below. Commissioner Croshaw seconded the motion.

#### CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Two (2) lots are approved with this subdivision permit.
3. The final plat shall be recorded within one (1) year of this action or comply with LDC §17.58 Expirations and Extensions of Time.
4. Street trees shall be planted every 30' on center along adjacent developed public streets.
5. All critical lands, such as wetlands, should be identified and indicated on the plat.
6. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Engineering:
    - i. Construct infrastructure improvements along City rights-of-way according to all City Standards and Specifications.
    - ii. Construct separate utilities to each individual parcel and provide information on sewer lift station.
    - iii. Provide utility easements on perimeter and interior property boundaries and over any existing utilities.
    - iv. Provide onsite stormwater detention/retention per City standards.
    - v. Dedicate right-of-way as needed to ensure a future 66' right-of-way on 1200 West.
  - b. Water/Cross Connection:
    - i. Water meter setters must be up to current Logan City backflow standards.

## FINDINGS FOR APPROVAL

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. The project conforms to the requirements of LDC §17.47 concerning hearings, procedures, application requirements and plat preparations.
3. The project meets the goals and objectives of the Commercial Services (CS) zone within the Logan General Plan.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. Each lot conforms to the requirements of Logan Municipal Code Title 17 in terms of lot size and site standards.
6. As conditioned, each lot is physically suitable for development, has an adequate building site, and will not require variances due to physical constraints in order to be developed.
7. Each lot has access to a street or easements to provide for connection to sewer service, water service, and other public utilities.
8. The subdivision has been revised and amended by the conditions of project approval to respond to issues raised by City departments and public agencies and to address legitimate concerns of the public.

[Moved: Commissioner Romero   Seconded: Commissioner Croshaw   **Passed: 4-0**]

Yea: R. Croshaw, A. Davis, T. Jensen, M.Romero   Nay:   Abstain:

**PC 15-028 Zions Bank Logan Financial Center** [Design Review Permit] Jared Larson/Zions Bank, authorized agent/owner, request to construct a 13,784 SF 2-story building and drive-through facilities on 0.8 acres at 460 North Main Street in the Town Center (TC) zone; TIN 06-042-0013;-0015.

**STAFF:** Ms. Reeder reviewed the request for a new 13,784 SF Zions Bank financial office on the southeast corner of 500 North Main. A bank and financial office is a permitted use in the TC zone. There is currently an existing Zions Bank, constructed in 1968, and parking lot on the site. The design is a 2-story office building in a classical style with brick, stone, and curtain wall glass elements. Parking and landscaping will be provided. The existing Zions Bank will be demolished after the construction of the new facility.

**PROPONENT:** Jared Larson, with Prescott Muir Architects, said they agree with the conditions of approval as proposed.

**PUBLIC:** None

**COMMISSION:** Chairman Davis questioned the access. Ms. Reeder explained that there are currently two accesses from Main Street and two from 500 North. UDOT will review the request for Main Street and have suggested working with the property owner to the south for a shared access. Public Works has reviewed the request and would prefer the access on 500 North to be shared with the property owner to the east, but are in favor of the reduction to one access. Mr. Larson noted that the civil engineer is working with UDOT on this issue.

Commissioner Jensen questioned whether the drive-through stacking area would be sufficient and not create a point of congestion. Mr. Larson said they can adjust slightly to the north if necessary. The overall layout of the site provides cross access into the adjacent parking lot in case there is backup.

Commissioner Jensen questioned the radius dimensions. Mr. Larson explained that this is a preliminary site plan; the civil engineer will ensure the all requirements are met effectively.

Commissioner Jensen noted that the preponderance of parking is on the south side with the entrance located on the north side. Mr. Larson explained the desire to balance the building architecturally, however, they can review this point.

Commissioner Croshaw questioned whether the ATM drive-up location will affect the parking area to the east. He also suggested improving the parking situation to the south, especially in/around the existing dumpster area. Mr. Larson agreed and said they will talk with the property owner to the south.

Commissioner Romero lives in this area and thinks this will be a good improvement.

Commissioner Jensen pointed out that this project meets the spirit of the Code and will be a great asset to the community.

**MOTION:** Commissioner Jensen moved to **conditionally approve** a Design Review Permit as outlined in PC 15-028 with the conditions of approval as listed below. Commissioner Romero seconded the motion.

#### CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Building elevations are approved as presented.
3. Bicycle parking facilities must be provided on site for a minimum of 4 bicycles.
4. Street trees are required on 30' (average) centers on all street frontages. Coordinate improvements in the right-of-way with Community Development and the City Forester.
5. A Performance Landscaping Plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
  - a. A total of at least 15 trees and 37 shrubs, perennials and grasses shall be provided. A minimum of two (2) different tree species required.
  - b. Varieties and sizes of all plant material shall be specified on the plan and plant quantities shall be per LDC §17.39.050 and include a minimum of 25% evergreen varieties for year-round visual interest.
  - c. The landscaping area between the sidewalk and parking lot shall meet the guidelines of LDC §17.39.070 for Type "B" standards, which require shrubs to be planted at an average of 3' on center and trees on an average of 15' on center.
6. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
7. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
8. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
9. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Water/Cross Connection Department
    - i. Building water main must have a minimum DC (ASSE-1015) as it enters the building before any branch-offs.
    - ii. Landscape irrigation must have a backflow assembly rated for high hazard, such as RPZ (ASSE-1013) or PVB (ASSE-1020).

- iii. If fire suppression system is required, it must have a minimum DCDA (ASSE-1048).
- b. Environmental Department
  - i. Minimum 60' of straight-on access required to enclosure. May need to be shifted to the west to avoid the drive-through island area.
  - ii. Minimum inside measurement on enclosure is 12' wide x 10' deep. Additional space required if a recycling dumpster is also located. Two bollards at the rear of the enclosure to protect wall and 8' concrete pad in front to protect the asphalt.
  - iii. Gates need drop pins or latches to hold in open position during emptying.
- c. Engineering Department
  - i. Dedicate right-of-way as required by UDOT for potential right hand turn lane on US 91 to 500 North and all other requirements from CAMP.
  - ii. Work with City and UDOT to address any potential impacts to radius corner and signal pole location based on road improvements.
  - iii. Access to 500 North should be shared with existing east access to Zions Bank and shopping center, if possible. Current location will increase traffic congestion and turning movement conflicts with traffic on 500 North, signal turn lanes and adjacent shopping center access.
  - iv. Provide onsite stormwater detention/retention per City standards.
  - v. Ensure City infrastructure complies with current City standards and size requirements.
- d. Fire Department
  - i. Fire hydrants shall be located within 100' of the building as measured by an approved route around the exterior of the building. Hydrant will need to connect to Main Street line. Depending on the exact location of the building, an additional fire hydrant may be needed.

#### FINDINGS FOR APPROVAL

1. The proposed building is compatible with surrounding land uses of the Town Center (TC) zone and will not interfere with the use and enjoyment of adjoining or area properties because of the building design, landscaping, and setbacks are consistent with area properties.
2. The building height and design at two-stories will be compatible with surrounding properties and the intent of the TC zone.
3. The transparency and architectural features provided on the building elevations support pedestrian oriented street level and are consistent with the intent of the TC zone.
4. The building entrances are visually prominent and oriented to the street while easily accessible to pedestrians. The proposed elevations are consistent with the intent of the LDC §17.18.030.
5. The building orientation is on the street providing a building frame; landscaping and reduced drive accesses on the remaining frontage can contribute to pedestrian safety to meet the intent of the building frontage code standards.
6. The project conforms to the requirements of Logan Municipal Code Title 17.
7. The proposed uses are compatible with the surrounding neighborhood character as this is a Neighborhood Center commercial use.
8. The proposed use provides adequate off-street parking in conformance with Title 17.
9. The project, as conditioned, conforms to landscaping requirements in Title 17.
10. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
11. The project has been amended to meet the requirements of Code and conditions of approval by City Departments.

[Moved: Commissioner Jensen    Seconded: Commissioner Romero    **Passed: 4-0]**

Yea: R. Croshaw, A. Davis, T. Jensen, M.Romero    Nay:    Abstain:

**PC 15-029 Tandoori Oven Addition** [Design Review & Conditional Use Permit] Steven Mansfield/Sham Arora, authorized agent/owner, request an 854 SF addition and a permit for sales & food service with a 3,600 SF footprint on .35 acres at 720 East 1000 North in the Neighborhood Center (NC) zone; TIN 05-032-0017.

**STAFF:** Ms. Reeder reviewed the request for an 854 SF addition to the west side of the building for the restaurant and convenience store and a façade remodel to the building. A Conditional Use Permit is proposed because the addition will bring the building up to a 3,600 SF footprint in the Neighborhood Commercial (NC) zone. A permit is required for a commercial footprint area over 3,000 SF and may allow up to 5,000 SF maximum.

The gas station and convenience store was established on the property in 1985 under a Special Use Permit as the Campus Corner Mini-mart. The restaurant was added in 2004. An addition was reviewed and approved by the Planning Commission in 2013 (PC 13-009) but was not pursued.

**PROPONENT:** Mr. Arora explained that customers can park at the gas pumps when they are not occupied, as there are only a few pumps used at any one time, and they can install signage indicating such. There is quite a bit of street parking available in the area. Mr. Arora said he would talk with USU Credit Union about a possible parking agreement (to use their lot in the evening hours). He would like the entrance to be a right in/out only. He confirmed for Chairman Davis that additional windows could be added to the west elevation if necessary and advised that the awning would be extended across the length of the facade.

**PUBLIC:** None

**COMMISSION:** Commissioner Jensen questioned the egress on 1000 North. Ms. Reeder clarified that there are currently two accesses; the Engineering Department would like it to be consolidated into one (the east one).

Commissioner Croshaw asked about the additional required parking and where that would be designated. Ms. Reeder said on-street parking could not be counted, however there are other options that can be explored such as a shared parking agreement with a nearby business (e.g. USU Credit Union across the street). The convenience store portion requires 1 space per 200 SF (5 spaces) and the restaurant requires 1 space per 150 SF of dining area (10 spaces). There are currently 13 spaces on the site, which requires the applicant to provide two more parking spaces.

Commissioner Jensen asked about pedestrian access between the building and sidewalk. Ms. Reeder explained that a walkway will be added and connected to the existing sidewalk on 700 East.

In reference to the fenestration requirement on the south and east facades, Ms. Reeder explained that it must be divided into distinct planes of 500 SF or less, which can be accomplished with scoring the stucco (at a minimum).

Chairman Davis asked whether the mechanical equipment on the flat roof would be exposed. Ms. Reeder advised that a 4' parapet would be added to help screen the equipment. Commissioner Jensen suggested possibly enclosing the mechanical features within the U-shaped enclosure. Mr. Arora said he would have the architect review that suggestion.

Bill Young, the City Engineer, advised that the west entrance can be allowed to be a right in/out egress.

Chairman Davis asked about the use of the gas pumps to accommodate parking. Ms. Reeder said that because this is such a unique site, that option can be reviewed.

Commissioner Jensen suggested possibly adding additional spaces along the 1000 North property line (where the egress will be closed). Ms. Reeder said that option could be explored. Parking will be reviewed at the building permit stage.

Chairman Davis said she would like to see additional transparency on the west façade (from the 30% being recommended to the 50% required in the Code). Commissioner Romero agreed it is important to make that elevation as attractive as possible, especially for pedestrian traffic. Commissioner Jensen noted that it could be difficult as that area will be used product storage. Ms. Reeder pointed out that the façade is currently at 7% so an increase to 30% is quite an improvement. If the awning is extended (as indicated by the applicant) then the transparency requirement could be decreased and 30% is consistent with other commercial areas. Chairman Davis said the increase of the awning (with the 30%) would be sufficient.

**MOTION:** Commissioner Croshaw moved to **conditionally approve** a Design Review & Conditional Use Permit as outlined in PC 15-029 with the amended conditions of approval as listed below. Commissioner Romero seconded the motion.

#### CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The west elevation will provide transparency of a minimum of 30% of the wall and additional architectural features, such as an awning, and vertical landscaping adjacent to the building provided.
3. The south and east building elevations must be divided into distinct planes of 500 SF or less through features in the stucco or incorporation of additional architectural features such as windows, horizontal building modulation like a recess, and/or changes in color or material.
4. Pedestrian access to be provided between the building and the sidewalk.
5. Dumpster enclosure will be compliant with LDC §17.37.080 by providing for a 6' enclosure structure and sight-obscuring gates.
6. Prior to issuance of a building permit, a parking plan providing for 15 total parking spaces through on-site and off-site parking shall be approved.
7. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
8. No signs are approved with this project. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
9. No fences are approved with this project. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
10. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Water/Cross Connection Department
    - i. Lawn irrigation will need to be up to current standards for high-hazard backflow protection, such as RPZ (ASSE1013) or PVB (ASSE1020).
    - ii. Building water system must be up to current Logan City backflow standards.
    - iii. If fire suppression system is required, it must have a minimum DCDA (ASSE1048).
  - b. Environmental Department
    - i. Minimum 60' of straight-on access required to enclosure.
    - ii. Minimum inside measurement on enclosure is 12' wide x 10' deep. Additional space required if a recycling dumpster is also located.
    - iii. Gates need drop pins or latches to hold open during emptying.
  - c. Engineering Department
    - i. With site redevelopment, City stormwater design standards and the City's MS4 permit require onsite detention and/or retention be constructed. Compliance will be required.



- ii. Remove and replace curb and gutter on both 1000 North and 700 East to allow one access on each street to meet the current widths allowed by code. Locate as far to east and south of intersection as possible. Reconstruct all sidewalks, as required, to ensure compliance with Logan City standards.

#### FINDINGS FOR APPROVAL

1. The proposed building is compatible with surrounding land uses of the NC zone and will not interfere with the use and enjoyment of adjoining or area properties because of the building design, landscaping, and setbacks are consistent with area properties.
2. The project conforms to the requirements of Logan Municipal Code Title 17.
3. The project is compatible with the surrounding neighborhood character as this is a Neighborhood Center commercial use.
4. The project shall provide adequate off-street parking in conformance with Title 17.
5. The project, as conditioned, conforms to landscaping requirements in Title 17.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. The project has been amended to meet the requirements of Code and conditions of approval by City Departments.

[Moved: Commissioner Croshaw   Seconded: Commissioner Romero   **Passed: 4-0**]

Yea: R. Croshaw, A. Davis, T. Jensen, M. Romero   Nay:   Abstain:

**PC 15-030 22 E. Center St. Exterior Wall Mural** [Design Review Permit] Andrea McCulloch/Temple Fork Holdings, authorized agent/owner, request an exterior wall mural on the west façade of an existing historic commercial property on .06 acres at 22 E. Center Street in the Town Center-Historic District (TC-HD) zone; TIN 06-029-0011.

**STAFF:** Mr. Holley reviewed the request to paint a mural (approximately 25' x 25') on the west facade of the building. The existing 2-story commercial building was built in 1936. The building was just recently approved by the Historic Preservation Committee for renovation including new windows, façade update, doorway and a rooftop penthouse and patio. The mid-century motif remains the architecture style. The western façade, consisting of painted brick, is largely exposed because the Center Street Grill building is setback.

Mr. Holley noted that the Commission may want to have the Historic Preservation Committee also review this project per LDC §17.40.070-8 *Depending upon the sign type and/or location of installation, certain signs may require an additional approval from the Design Review Committee and the Historic Preservation Committee, or both.*

**PROPONENT:** Andrea McCulloch provided a history of the building and background of project indicating that the mural “is what will make this building thrive”. She agreed that both art and architecture are very subjective. The goal is to “tell a story” and provide a canvass/platform for talented artists. They are working with the Jensen Historic Center and Winborg Masterpieces who will help spearhead the voyage of this endeavor. The project will feature local art and real stories and images from Cache Valley.

**PUBLIC:** An email of opposition from Allen-Hall Mortuary and emails of support from Sandy Emile, Julie Hollist, Mark Fjelsted and Gene Needham were received and distributed to the Commission prior to the meeting.

Rich Guy, chairman for Somebody’s Attic, said they are interested in a wall mural and are in attendance to understand the details of this type of project. He fully supports this idea and would like to see more art in the community; artists should be given freedom and flexibility.

Larry Winborg said he will be one of the artists involved. He believes this is a great idea and will have a positive impact on that area of town. It will be a great opportunity for artists to be able exhibit their work. One of the purposes is to uplift the human experience through high-quality art.

**COMMISSION:** Commissioner Romero questioned how condition #10 (*Excessively bright, neon or metallic colors shall not be used*) would be enforced and who would determine what is excessive. Mr. Holley said this language was extracted from the Historic District Design Standards, which govern this area.

Commissioner Jensen asked about lighting. Mr. Holley said it has not been included in the proposal, if there is lighting installed it will need to follow all the standard regulations.

Commissioner Jensen thought this was a great idea for this building; however, he was concerned about the control over the content of the art and questioned what would happen if the building is ever sold. Ms. McCulloch understood the concern, however, pointed out that “*we can be afraid and leave it as it is or move forward*”.

Ms. McCulloch answered for Commissioner Jensen that the anticipated rotation of artwork would be quarterly (4 per year). Changing the art out is an expensive endeavor. She also explained that the medium would be alumigraphics – a versatile print media for brick, asphalt and concrete. The art will have an adhesive backing and will be applied directly to the façade.

Chairman Davis asked about the use of the building. Ms. McCulloch explained that the building will be an event-based center with residential space on the second floor, conference and open space on the main floor and a rooftop/patio which will be available for residents and events. Chairman Davis asked if art would be available for purchase at this location. Ms. McCulloch said that could be an option. Mr. Housley, the City Attorney, said that point should be clarified because if the art is available for purchase on site, the wall mural would be classified commercial, which would not be allowed. The artwork could be sold at other locations but not in the same building as the wall display.

Commissioner Jensen is excited about this project and believes it will provide stimulation and interest in art. He noted other countries have murals which become as much a part of the fabric of the area as architecture.

Commissioner Jensen asked if text should be prohibited. Commissioner Romero was concerned that this would be regulating the content. Mr. Housley said that some text could be considered art and therefore should not be prohibited.

Commissioner Romero asked if there was a need to come up with a workable definition in regard to advertising. Mr. Housley explained that would be difficult in this case because it is unknown exactly what will be in the building. Mr. Croshaw asked how it would be regulated. Mr. Housley said it would be based on complaints. He advised the Commission to recognize that what is approved will have to be allowed elsewhere.

Commissioner Romero thought the rotating exhibit will be interesting because art on all levels can lead to intellectual stimulation and public discussion.

Chairman Davis asked the Commission for thoughts on framing of the artwork. Commissioner Romero thought the adhesive medium described by Ms. McCulloch was satisfactory. Mr. DeSimone explained that the idea behind the frame idea was to avoid looking like a banner; it should be painted or adhered directly to the wall and not have any rips, cracks or peeling. Mr. Housley agreed that it should be mounted directly against the wall regardless of the medium.

Commissioner Romero asked what would happen to the wall if and/or when the art project ended. Chairman Davis advised that would fall within the purview of the Historic Preservation Committee.

Mr. Holley clarified for Chairman Davis that the Land Development Code does not specifically spell out the medium for a wall mural.

Chairman Davis asked about signage regulations. Mr. Holley explained that a typical sign for this building could be 11'x12' (135 SF); this request is for 25'x25' (625 SF).

Ms. McCulloch confirmed for the Commission that the medium would be flush-mounted (like wallpaper). Mr. Jensen asked how many layers there would be. Ms. McCulloch said there would never be more than three (3) layers at one time.

Chairman Davis expressed concern about language regarding commercial advertising. Mr. Housley said the Commission can only work with what is currently in the Code. Chairman Davis asked for an advertising definition. Mr. Housley said it can be difficult to define. Mr. DeSimone advised that if this is conditionally approved with no commercial advertisement, concerns will be handled and/or enforced on a complaint basis.

Commissioner Croshaw pointed out that a frame would make the project 3-dimensional. Ms. McCulloch agreed and said there is really no need for a frame with the type of material chosen.

Chairman Davis said the size seems quite large and she is concerned with future projects. Commissioner Jensen said the dimension is compatible based on the size of this building. Chairman Davis agreed but wondered if there would be a precedent set for future requests and proposed adding an additional finding to read "*The wall art is appropriately sized and proportionate to the overall building façade*". Commissioner Romero asked if this would be overstepping the bounds. Mr. Housley advised that the permitted size is 10% of the first floor facade, anything greater is discretionary and should be considered with regard to how it fits in with the surrounding area. The Historic District has very good guidelines and regulations.

Mr. Housley recommended changing the wording of condition #6 to - *No commercial message or advertising content (or intent) shall be included in the mural or wall design.*

Mr. DeSimone suggested adjusting the wording of condition #3 to - *The mural or wall art shall be either painted directly onto the wall or shall be flush-mounted onto the wall.*

Ms. McCulloch confirmed they are working with Center Street Grill on a written easement agreement and any lighting will conform to the appropriate regulations.

**MOTION:** Commissioner Jensen moved to **conditionally approve** a Design Review Permit as outlined in PC 15-030 with the amended conditions of approval as listed below. Commissioner Romero seconded the motion.

#### CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The mural/wall art size and shape shall be limited 25'x25' and positioned in the same location on the west façade as proposed in the submitted drawings.
3. The mural/wall art shall be either painted onto the wall or flush-mounted on the wall.
4. The mural/wall art must be neatly maintained. No fading, rips, peeling or cracks permitted.
5. No digital displays or electronic message centers are permitted for this mural/wall art.
6. No commercial messages or advertising content (or intent) shall be included the mural/wall art.
7. The mural/wall art shall not be obscene in nature as defined in Utah state law.

8. The mural/wall art shall be consistent with the Logan City Historic District Design Guidelines
9. The mural/wall art shall not be three-dimensional or project out from the façade wall.
10. Excessively bright, neon or metallic colors shall not be used.
11. Commercial signs may be allowed on this façade, in addition to the mural, if they remain under 10% of the first floor wall area and receive and approved sign permit prior to installation
12. Any future changes to the mural/wall art design must comply with all the conditions of approval.
13. Mural/wall art content is not regulated by this permit.
14. Any lighting associated with this project shall be downcast and oriented inward so that only the wall is illuminated and glare is not projected onto neighboring properties.
15. A written easement agreement shall be granted by the Center Street Grill property owner for access. Art equipment shall not block the driveway access to the Center Street Grill property or be placed in the public right-of-way
16. A Certificate of Appropriateness issued by the Historic Preservation Committee shall be obtained prior to installation.

#### FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the mural will not interfere with the architectural design of the building.
2. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plan preparations.
3. The project meets the goals and objectives of the Town Center (TC) zone within the Logan General Plan by providing unique urban spaces.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. The mural/wall art is appropriately sized and proportionate to the overall building façade.

[Moved: Commissioner Jensen Seconded: Commissioner Romero **Passed: 4-0**]

Yea: R. Croshaw, A. Davis, T. Jensen, M. Romero Nay: Abstain:

#### WORKSHOP ITEMS for May 28, 2015

- ✓ PC 15-019 Young Auto Mall - *continued from Mar. 26*
- ✓ PC 15-025 Maverik Main Street – *continued from May 14*
- ✓ PC 15-027 GW Properties - *continued from May 14*
- ✓ PC 15-031 Digis Internet Site – Cliffside [Design Review Permit]

Meeting adjourned at 7:42 p.m.

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Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of May 14, 2015.

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Michael A. DeSimone  
Community Development Director

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Russ Price  
2015 Planning Commission Vice-Chair

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Russ Holley  
Senior Planner

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Amber Reeder  
Planner II

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Debbie Zilles  
Administrative Assistant